



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 20, 1996

Mr. Gary W. Smith
City Attorney
City of Greenville
P.O. Box 1049
Greenville, Texas 75403-1049

OR96-0206

Dear Mr. Smith:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 38194.

The City of Greenville (the "city") received a request for information concerning the Turn Around Texas and the Turn Around Greenville programs. You state that the city has no objections to providing the requested information. However, you claim that the city has no information responsive to the request for "information establishing or reflecting a policy or criteria used to determine locations for marches for Turn Around Greenville" or for "documentation [provided] to marchers at the time of, before or after, demonstrations." You contend that the city is not required by the mandates of chapter 552 to create information that does not exist at the time the request is made. We agree. The Open Records Act applies only to information in existence and does not require a governmental body to prepare new information. Open Records Decision Nos. 605 (1992), 572 (1990), 558 (1990), 555 (1990), 534 (1989), 483 (1987), 430 (1985). Accordingly, by releasing the information that was in existence at the time of the request, the city has fully complied with the mandates of chapter 552 for this request for information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd Reese", with a long horizontal flourish extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/LBC/ch

Ref: ID# 38194

cc: Ms. Jamissa Jarmon
Legal Fellow
ACLU, East Texas Office
P.O. Box 132047
Houston, Texas 77219
(w/o enclosures)